



**Aeronautical Repair Station
Association**

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Docket #
11301

January 31, 2003

BY E-MAIL TO: David.Teitelbaum@faa.gov

ORIGINAL BY REGULAR MAIL

Thomas C. Smith
Manager, APO-310
Operations Regulatory Analysis Branch
Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, D.C. 20591-0004

DEPT. OF TRANSPORTATION
DOCKETS
03 FEB 13 PM 4:27

Re: FAA Docket No. 2002-11301 - 43
Drug and Alcohol Program Notice of Proposed Rulemaking (NPRM)

Dear Mr. Smith:

This is in reply to your letter of January 21, 2003 regarding a request for clarification of the joint industry comments on the subject NPRM. This also supplements Sarah MacLeod's letter of January 10, 2003.

Pursuant to my recent discussions with David Teitelbaum of your office, attached is a blank copy of the survey that the Aeronautical Repair Station Association (ARSA) and the Aerospace Industries Association (AIA) developed in support of the joint industry comments on the NPRM. The blank survey includes the instructions posted on the ARSA web site for respondents to follow and submit electronically. The vast majority of respondents completed the survey over the web, although we did receive some responses via electronic and regular mail. I have also attached the final tabulations that include all responses received.

The cost information cited on page 15 of the joint industry comments was taken from the attached survey results. The following reflects the cost impact cited in those comments along with the specific survey questions from which the numbers were derived:

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- \$2.5 million in initial costs to cover those production workers that actually perform or would be available to perform a subcontracted maintenance function (see response to survey questions 12(b) and 14(c)).
- \$1.0 million in recurring costs to cover the production workers mentioned above (see response to survey questions 12(c) and 14(c)).
- \$2.25 million in initial costs to ensure that the drug and alcohol rules were being followed by so-called "downstream" certificated maintenance subcontractors (see response to survey question 14(a))
- \$2.2 million in recurring costs to monitor the compliance of those downstream certificated repair stations (see response to survey question 14(a))
- \$4.2 million in initial costs to ensure that the drug and alcohol rules were being followed by downstream non-certificated maintenance providers (see response to survey question 14(b))
- \$1.45 million in recurring costs to monitor the compliance of those downstream non-certificated maintenance providers (see response to survey question 14(b))

In addition to the cost information that you requested in your letter of December 20, 2002, the survey results also reflect the contracting practices of those responding. If you have any questions or desire additional information, please give me a call.

Sincerely,

Marshall S. Filler
General Counsel

Enclosures:
Survey
Tabulated results

Instructions

Companies should complete only one survey for each certificated repair station or grouping of repair stations if (1) the practice is common to all, and (2) it is applied in the same manner, and (3) all repair stations meet the criteria noted above.

To electronically check any of the boxes below, double click on the appropriate box and a pop-up menu will appear. Under the "default value" section of the pop-up menu, click the circle marked "checked". Hit "enter" or click "OK" and an "X" will appear in the desired box. **YOU MUST DO THIS FOR EACH BOX YOU DESIRE TO CHECK.**

Please save your completed survey as a separate Word document and e-mail it as an attachment and send to <mailto:arsa@arsa.org>.

The responses will be kept confidential; at most, only the tabulated results will be shared with the FAA.

The comment period on the NPRM closes on May 29, 2002 so time is of the essence.

DRUG AND ALCOHOL SURVEY

Questions

1. Does your company hold (check **either** block a or b)—
 - a. ☐ Part 145 domestic repair station certificate(s) **only**
 - b. ☐ Both Part 145 domestic repair station certificate(s) **AND** Part 21 production approval(s)

2. Does your company operate more than one Part 145 **domestic repair station**?
 - a. ☐ Yes; we operate ____ Part 145 domestic repair stations
 - b. ☐ No

3. If the answer to question 2 is "yes", do these repair stations follow the same FAA drug and alcohol policies pertaining to subcontractors?
 - a. ☐ Yes
 - b. ☐ No

If you operate a single repair station OR multiple domestic repair stations under the same FAA drug and alcohol policies pertaining to

subcontractors, please complete the remainder of this survey. If you operate multiple domestic repair stations that follow different FAA drug and alcohol policies pertaining to subcontractors, please complete one survey for each of your domestic repair stations.

4. Does (do) your certificated repair station(s) subcontract maintenance under Part 145 of the Federal Aviation Regulations (FAR)?

a. ☐ Yes
b. ☐ No

5. If the answer to question 4 is "yes", are these maintenance subcontractors – (check box a, b or both as applicable)

a. ☐ Other Part 145 repair stations
b. ☐ Entities **NOT** authorized to approve articles for return to service in **their own right** following the performance of maintenance (i.e. uncertificated machine shops and similar uncertificated maintenance facilities, manufacturing facilities, etc.)

6. If the block in question 5(a) is checked, please answer the following questions.

a. How many Part 145 certificated subcontractors do you use? ____

b. Do you require these certificated subcontractors to show evidence that the employees performing the subcontracted maintenance function are covered by an FAA-approved drug and alcohol program?

a. ☐ Yes
b. ☐ No

7. If the block in question 5(b) is checked, please answer the following questions.

a. Other than production approval holders, how many subcontractors not certificated under Part 145 do you use? ____

b. Do you require those subcontractors **NOT** certificated under Part 145 to show evidence that those employees who perform a subcontracted maintenance function are covered by an FAA-approved drug and alcohol program?

a. ☐ Yes
b. ☐ No

8. For those companies that hold one or more repair station certificates but do not hold their own production approvals, do you subcontract maintenance to manufacturing facilities?
- a. ☐ Yes
b. ☐ No
9. If the answer to question 8 is yes, how many manufacturing facilities do you subcontract maintenance to? _____
10. If the block in question 1(b) is checked, please answer the following question.
Does (do) your Part 145 repair station(s) subcontract maintenance to YOUR OWN company's manufacturing facilities?
- a. ☐ Yes
b. ☐ No
11. If you answered "yes" to question 10, please answer the following question. Are those manufacturing employees that perform a subcontracted maintenance function for the repair station (but do so in the manufacturing facility) included in an FAA-approved drug and alcohol program?
- a. ☐ Yes
b. ☐ No
12. (a) If the answer to question 11 is "no", how many manufacturing employees do you estimate will have to be included in the FAA's drug and alcohol testing program? _____
(b) Estimate the initial costs to establish such a program for these employees _____
(c) Estimate the annual recurring costs _____
13. (a) If the answer to question 11 is "yes", how many manufacturing employees are included in your company's FAA drug and alcohol testing program? _____
(b) What is the annual recurring cost attributable to the coverage of your manufacturing employees? _____
14. Estimate the initial and annual recurring costs to your company to ensure that the following types of maintenance subcontractors are covered by an FAA drug and alcohol program.
- (a) Part 145 subcontractors _____ (initial) _____ (recurring)
(b) Non-certificated subcontractors (other than production approval holders) _____ (initial) _____ (recurring)
(c) Production approval holder subcontractors _____ (initial) _____ (recurring)

15. Do you know whether your direct subcontractors also use subcontractors of their own when performing work on your behalf?

- a. ☐ Yes
- b. ☐ No

16. The following is optional; however, we would appreciate receiving this information so we can contact you if necessary.

Name:

Company:

Phone:

Fax:

E-Mail:

17. Please provide any additional comments in the space below:

DRUG AND ALCOHOL WEB SURVEY RESULTS**Questions**

1. Does your company hold (check **either** block a or b)—
 - a. **64** Part 145 domestic repair station certificate(s) **only**
 - b. **27** Both Part 145 domestic repair station certificate(s) **AND** Part 21 production approval(s)

2. Does your company operate more than one Part 145 **domestic repair station**?
 - a. Yes; we operate **29/265** Part 145 domestic repair stations
 - b. ☐ No

3. If the answer to question 2 is "yes", do these repair stations follow the same FAA drug and alcohol policies pertaining to subcontractors?
 - a. **228** Yes
 - b. **4** No

If you operate a single repair station OR multiple domestic repair stations under the same FAA drug and alcohol policies pertaining to subcontractors, please complete the remainder of this survey. If you operate multiple domestic repair stations that follow different FAA drug and alcohol policies pertaining to subcontractors, please complete one survey for each of your domestic repair stations.

4. Does (do) your certificated repair station(s) subcontract maintenance under Part 145 of the Federal Aviation Regulations (FAR)?
 - a. **296** Yes
 - b. **13** No

5. If the answer to question 4 is "yes", are these maintenance subcontractors – (check box a, b or both as applicable)
 - a. **293** Other Part 145 repair stations
 - b. **75** Entities **NOT** authorized to approve articles for return to service in **their own right** following the performance of maintenance (i.e. uncertificated machine shops and similar uncertificated maintenance facilities, manufacturing facilities, etc.)

6. If the block in question 5(a) is checked, please answer the following questions.
 - a. How many Part 145 certificated subcontractors do you use? **3288**

- b. Do you require these certificated subcontractors to show evidence that the employees performing the subcontracted maintenance function are covered by an FAA-approved drug and alcohol program?

a. 181 Yes
b. 123 No

7. If the block in question 5(b) is checked, please answer the following questions.

a. Other than production approval holders, how many subcontractors not certificated under Part 145 do you use? **4926**

- b. Do you require those subcontractors **NOT** certificated under Part 145 to show evidence that those employees who perform a subcontracted maintenance function are covered by an FAA-approved drug and alcohol program?

a. 19 Yes
b. 252 No

8. For those companies that hold one or more repair station certificates but do not hold their own production approvals, do you subcontract maintenance to manufacturing facilities?

a. 26/162 Yes
b. 30/53 No

9. If the answer to question 8 is yes, how many manufacturing facilities do you subcontract maintenance to? **367**

10. If the block in question 1(b) is checked, please answer the following question.

Does (do) your Part 145 repair station(s) subcontract maintenance to YOUR OWN company's manufacturing facilities?

a. 24/141 Yes
b. 6/39 No

11. If you answered "yes" to question 10, please answer the following question. Are those manufacturing employees that perform a subcontracted maintenance function for the repair station (but do so in the manufacturing facility) included in an FAA-approved drug and alcohol program?

a. 15/108 Yes
b. 15/61 No

12. (a) If the answer to question 11 is "no", how many manufacturing employees do you estimate will have to be included in the FAA's drug and alcohol testing program? **16,025**
(b) Estimate the initial costs to establish such a program for these employees **\$1,766,020**
(c) Estimate the annual recurring costs **\$348,250**
13. (a) If the answer to question 11 is "yes", how many manufacturing employees are included in your company's FAA drug and alcohol testing program? **9,905**
(b) What is the annual recurring cost attributable to the coverage of your manufacturing employees? **\$288,535**
14. Estimate the initial and annual recurring costs to your company to ensure that the following types of maintenance subcontractors are covered by a FAA drug and alcohol program.
- (a) Part 145 subcontractors **\$2,225,160** (initial) **\$2,204,445** (recurring)
 - (b) Non-certificated subcontractors (other than production approval holders) **\$4,223,210** (initial) **\$1,455,740** (recurring)
 - (c) Production approval holder subcontractors **\$747,675** (initial) **\$672,927** (recurring)
15. Do you know whether your direct subcontractors also use subcontractors of their own when performing work on your behalf?
a. **40/199** Yes
b. **37/93** No
16. The following is optional; however, we would appreciate receiving this information so we can contact you if necessary.
- Name:
Company:
Phone:
Fax:
E-Mail:
17. Please provide any additional comments in the space below: